

WEDNESDAY, MAY 6, 1891.

Editorial matter has been crowded out of this issue of the BULLETIN, in order to print Professor Alexander's able article on "Australian Federation," to go forward by the Monowai.

AUSTRALIAN FEDERATION.

From an American Point of View.

Read Before the Honolulu Social Science Association, April 27, 1891, by Prof. W. D. Alexander.

The cause of this state of things I have not seen fully explained. It seems to an outsider that the bulk of the emigration to these colonies has been composed of townpeople, artisans, tradesmen, railway navies, miners, etc., who naturally drift into the towns. It has been found very difficult to draw the agricultural population of Great Britain to such a distance. Another cause has been the land monopoly. In New South Wales, the so-called "squatters," or rich sheep owners, holding the greater part of the land by long leases from the Crown on nominal rents, have prevented the adoption of a liberal land policy. It is deplorable that so young a state should show only 4 1/2 percent of her population as land owners, while but a fraction of her agricultural lands are under cultivation. Owing to the nature of the climate, rural life is probably not as inviting there as it is in New Zealand, and it may be too slow to suit the impatient temper of the people.

The consequence is that the democracy of these colonies is a town democracy like that of the city states of ancient Greece, under the fervid sun of the South. Here the workmen (excluding the farmers), enjoy a greater political influence than in any other country. Labor is written with a capital L. Wages are double what they are in England, and eight hours is the limit for a working day, fixed by custom throughout Australia. In the larger towns, but five hours' work is generally done on Saturday, and the shops close earlier than in England or America.

Building and loan societies flourish, and a large proportion of the workmen are said to be freeholders. It is a healthy sign that in Victoria alone there are 200,000 depositors in Savings Banks, with over twenty million dollars deposited. There is no "submerged tenth" in Australia. But it is said to be the Paradise of tramps, or "sundowners," as they are called.

The universal fondness of the Australians for all kinds of athletic sports and out-of-door amusements is well known, and will help to maintain the vigor of the race. The saying that the English "take their amusements sadly," as if they were bored by them, does not apply to the pleasure-loving Australians. The universal passion for gardening deserves commendation.

The workmen are naturally anxious to retain permanently the exceptional advantages of their position. They strongly oppose all further immigration to the colonies, and have formed an extensive federation of trades unions which have recently become more aggressive. Last year the largest boycott that the world ever saw took place in Australia, for the purpose, as it would seem, of destroying all freedom of contract in labor on that continent, but failed because the majority of the people condemned it as unjust. Lately in Queensland troops have been sent to protect free laborers, engaged in shearing sheep, from trade unionists. Here lies the greatest danger to the future of Australia. Democratic absolutism is as fatal to freedom as any other kind of absolutism.

It is natural that State Socialism should flourish in such an atmosphere. In Australia generally the State constructs and manages the railways and telegraphs and largely assists irrigation works and other local enterprises. "Log rolling" is well understood in the colonies. Under this system, the great cities have vied with each other in expending vast sums for magnificent buildings, extensive parks, botanical gardens, libraries, museums, art galleries, etc., which are open to all, and which excite the admiration of every visitor. There is a strong tendency to pledge the State to engage in new public works to create work for the unemployed, while loan after loan is floated in London to meet the expense. There is an undue tendency in the country districts to lean on the central government for help, which is not the Anglo-Saxon way.

According to Mr. Charles Fairfield, in "A Plea for Liberty," the whole fabric of this State Socialism is unsound, and the apparent prosperity of these colonies, including high wages, short hours, extravagant educational institutions and other State luxuries is maintained by "progressive borrowings." He asserts that the net earnings of their railways fall far short of paying the interest on the investment.

So vast, however, are the resources of Australia, that her credit is still unimpaired. She exports more per head of population than any other

country in the world except Russia. Sir Charles Dilke remarks in his speech at Victoria, at least, that the value of her indebtedness. Her imports, however, exceed her exports by £10,000,000. But, as Mr. Parkin states: "Thoughtful Australians recognize that they have immediately before them a limit which cannot safely be passed, where the courage of their statesmen and the moderation of the people will be put to a severe test."

The same causes which have been mentioned, led to the demand for a Protective Tariff, in order to create and sustain manufactures, which would furnish employment, and keep up the wages of the artisan class. This policy has carried the day in every colony except New South Wales. On the other hand, the delusion of cheap money finds no adherents in Australia, which is a gold country. Nor did Henry George meet with much success there. The "land hunger" of the artisans, who had become freeholders, was too much for him.

From want of time, I omit my remarks on the distinctive characteristics of the several colonies. The youngest of them, West Australia, separated from the rest by a thousand miles of desert, became free and self-governing only last January.

Of New Zealand, I must say that it is no wonder that her people are as yet unwilling to enter the Federation. Separated from Australia by 1250 miles of cold stormy ocean, it is a perfect contrast to it in many respects. With a cool moist climate like that of England without its fogs, with the lowest death rate in the world, with a territory equal to that of Great Britain and Ireland, capable of supporting twenty millions of civilized people, with perhaps the most beautiful scenery that the sun shines on, with her fertile soil, her noble forests, and mineral wealth, why should she become a dependency of Australia? The only Federation that her people care to enter is an Imperial Federation, provided that she can obtain from Australia the boon of Commercial Reciprocity and a combined policy in the Pacific Ocean.

On the other hand the six Australian Colonies have behaved very much as if they had been founded by distinct races, speaking different languages. They have maintained custom houses and guards along artificial frontiers, to keep out each other's products and manufactures, unless duties were paid on them. Strange to see the children of Chartists advocating Corn Laws at the antipodes!

Each colony has its own postal regulations and its own postal stamps. The attempts made to bring about a postal union have been so far unsuccessful. The gauges of the railways are different, so that there is a break at every frontier, where the traveler's baggage is liable to be examined. E. G. Queensland has the narrow gauge of 3 ft. 6 in. while New South Wales has the English gauge of 4 ft. 8 1/2 in., and Victoria the Irish gauge of 5 ft. 3 in. These are all Government railways. Again, New South Wales disputes the right of Victoria to take water out of the river Murray, (which forms their boundary), for irrigation purposes. It is time that these miserable quarrels were ended, which remind one of the Scotchman's prayer: "Lord, bless this house and a' that's in this house, and a' within two miles like side o' this house. O bless the coo and the meal and the kail-yard and the muckle toon o' Dumbarton!"

The subject of Australian Federation has been frequently proposed, but the different colonial tariffs have always stood in the way of any satisfactory arrangement. In 1884, several causes, such as the common opposition of the colonies to the French penal settlement on New Caledonia, the agitation for the annexation of New Guinea, and the visit of Gen. Edwards to concert plans for their combined defence, all tended to draw them together. Accordingly an intercolonial convention was held at Sydney, which prepared the draft of a bill to constitute a Federal Council. At the request of the colonial legislatures, an Imperial Act was passed, creating an Australasian Federal Council, with very limited powers of legislation, no powers of taxation, no revenue, and no executive. New South Wales and New Zealand have never joined this weak and nondescript institution, which, it was hoped, might be the germ of a true federation.

In 1889, New South Wales made overtures to the other colonies, pointing in the direction of a Federal Parliament and Executive of the Canadian type. The proposal was taken up, and two delegates were sent from each colony to a Federation Conference, which met at Melbourne in February, 1890. A grand banquet was given in the magnificent Queen's Hall, followed by a five days' session, in which the leading statesmen of Australia discussed the subject, and passed resolutions in favor of "an early union under the Crown," with "one Legislative and Executive Government, on principles just to the several colonies." It was also agreed that a Convention be called to frame a Federal Constitution, to be afterwards submitted to the separate colonies.

That Convention has just completed its labors, and the newspapers are full of the subject. It was convened at Sydney on the 2nd of last month. In accordance with English traditions, the session was opened with a grand banquet in the Centennial Hall. The great toast of the evening was "One people, one destiny," eloquently responded to by the chairman, Sir Henry Parkes, premier of New South Wales.

The Convention consisted of 45

members, including seven delegates from each colony, which sent only three with instructions not to bind their colony to come under any constitution that might be adopted. The two most distinguished delegates, no doubt, were the venerable Sir George Grey of New Zealand, and Sir Henry Parkes, each for many years the leading statesman of his colony and both ardent federalists. On the whole the personification of the Convention was worthy of the occasion that had called it together.

Their discussions are very able and interesting, and show thorough study of the political systems of Switzerland and Canada as well as of the United States. Early in the session a congratulatory message from the Queen was read. It was received standing, and three cheers were given for Her Majesty.

At the opening of the session Sir Henry Parkes introduced the following resolutions, embodying the principles of the new Constitution. They were debated until the 13th, and then referred to three select committees:

"1. That the powers and privileges and territorial rights of the several existing colonies shall remain intact, except in respect to such surrenders as may be agreed upon as necessary and incidental to the power and authority of the National Federal Government.

"2. That the trade and intercourse between the Federated Colonies, whether by means of land carriage or coastal navigation, shall be absolutely free.

"3. That the power and authority to impose customs duties shall be exclusively lodged in the Federal Government and Parliament, subject to such disposal of the revenues there derived as shall be agreed upon.

"4. That the military and naval defence of Australia shall be entrusted to Federal forces, under one command. Subject to these and other necessary provisions, this Convention approves of the framing of a Federal Constitution, which shall be:

"1. A Parliament to consist of a Senate and a House of Representatives, the former consisting of an equal number of members from each province, to be elected by a system which shall provide for the retirement of one-third of the members every year, so securing to the body itself a perpetual existence combined with definite responsibility to the electors; the latter to be elected by districts formed on a population basis, and to possess the sole power of originating and amending all bills appropriating revenue or imposing taxation.

"2. A Judiciary, consisting of a Federal Supreme Court, which shall constitute a High Court of Appeal for Australia, under the direct authority of the Sovereign, whose decisions as such shall be final.

"3. An Executive, consisting of a Governor-General, and such persons as may from time to time be appointed as his advisers, such persons sitting in Parliament, and whose term of office shall depend upon their possessing the confidence of the House of Representatives expressed by the support of the majority."

It will be seen that the proposed constitution is more of the American than of the centralized, east-iron Canadian type. The high-spirited democracies of Victoria and New South Wales will never submit to be reduced to the subordinate position of Canadian provinces. I will briefly mention the main points established in the discussion.

The Federal Executive will consist, as in Canada, of a Governor-General, appointed by the Crown, and a responsible Ministry, sitting in the House of Representatives, and dependent on the support of a majority of that body.

But the Prime Minister of Australia will not control the enormous patronage held by Sir John Macdonald in Canada, where the Central Executive appoints not only all the lieutenant governors of the several provinces, but also all the judges of the provincial courts.

Nor will the Australians brook the idea of a Federal veto on State legislation, which has not worked well in Canada. As the veto power is unknown to their colonial legislatures, being, as they think, incompatible with the theory of responsible government, it will not be given to the Governor-General. The prevailing view in the Convention was that each state should elect its governor in its own way.

An important difference between the constitution of Canada and that of the United States is that in the former all subjects not expressly assigned to the legislatures of the Provinces, are held to be within the jurisdiction of the Federal Government. The Australians prefer the American doctrine that "all powers not delegated to the Federal Government, nor prohibited to the States, are reserved to the States."

The list of powers delegated to the General Government will be nearly the same as in the United States, with the addition of the power to make uniform marriage and divorce laws.

No objection was made in the Convention to the proposal of intercolonial free trade, and of a uniform customs tariff for the whole continent. The high protectionists of Victoria indeed suggested a sliding scale to let down their tariff by degrees, but by common consent the subject was left for the Federal Parliament to deal with. The probable result will be a compromise tariff of a highly illogical and unsound form, but the best attainable under the circumstances.

There is much diversity of opinion in the Colonies on the question whether all the debts of the several

colonies amounting to £168,000,000, should be assumed and consolidated by the General Government, which could borrow at a lower rate of interest. On this question, however, it was seen that these debts are inseparable from the assets which they have helped to create. The states cannot unload their debts upon the Federal Government without handing over their railways and lands, and also submitting to Federal control over their future borrowing. I think it will be a mistake for them to mix up provincial and national finances, as is done in Canada.

Great admiration was expressed in the Convention for the American Senate, as a strong and dignified upper house, representing states but not classes. The American method of electing Senators was preferred to that of Canada, where they are appointed for life by the Crown on the nomination of the Canadian Ministry for the being time.

The Australian Senate will probably have no executive functions, and there is little doubt that the Reformed System of Civil Service, now prevailing in Victoria, will be incorporated into the new Government from the start.

Contrary to expectation, the chief bone of contention in the Convention was the right of the Senate to propose amendments to money bills. It was agreed by all that the lower house should have the "sole power of originating all bills appropriating revenue or imposing taxation." But Sir Henry Parkes' resolution gave it also the sole power of amending such bills.

The cause of the whole difficulty lies in the great inequality of the Colonies, New South Wales and Victoria, taken together, having more than twice the population of the other four colonies, the two former having more than 2,200,000 and the four latter about 920,000 inhabitants.

Hence in the House of Representatives, the members from the two large states, if they combined together, could outvote those from the smaller states, two to one; while in the Senate, the reverse would be the case.

It is not strange then that the delegates from the small colonies argued in favor of enlarging the powers of the Senate, while most of the delegates from the "big Colonies" warmly opposed it. To an American the small colony-men seem to have had the best of the argument. They held that the power of amending bills was far less dangerous than that of rejecting them, the latter of which was not questioned; that the members would generally divide on party lines and not on state lines; and that in future, financial questions will be less important than those relating to Socialism, Labor, etc.

The other side insisted that as it was impossible to make the Ministry responsible to both houses, it would be inconsistent with the English system of parliamentary government to give the upper house the right to amend money bills. The matter was referred to a committee, and from the latest telegrams seems to have been decided against the small colonies.

The discussion was enlivened by a bit of pleasantry, when a Mr. Rutledge compared the Government to a model family, in which the husband is the responsible head, (the lower house), but finds it to his advantage to consult his wife, (the Senate), on money matters. "She often originates money bills," rejoined Mr. Munroe, which caused a general laugh.

In regard to the Federal judiciary the drift of opinion in the Convention appeared to be in favor of establishing a complete system of Federal Courts distinct from state courts, instead of merging the latter in the former, as in Canada. The question whether any appeal should be allowed from the Federal Supreme Court to the Privy Council or not, was one on which the Convention was divided.

Mr. Clark, Attorney-General of Tasmania, held that the Supreme Court should finally settle all purely Australian matters as well as questions of the common law, but that in cases involving Imperial interests or the interpretation of Imperial Acts, the right of appeal to the Privy Council would continue to exist.

Another important point is the method of amending the Constitution. The Canadian Constitution is simply an Act of the British Parliament, and can be amended only by other Acts of that Parliament. Here again the Australians prefer the American method, by which the Constitution provides for its own amendment in a way that affords ample security against hasty changes.

The name chosen for the new government, viz.: "The Commonwealth of Australia," has a Cromwellian ring to it, and is highly appropriate to so liberal a constitution, and to the watchword, "Advance Australia!"

The final result of the deliberations of the late Australian Convention will now be laid before the several legislatures of the different colonies for adoption, amendment, or rejection. If accepted by the colonies, it will then have to be put in force by an Enabling Act of the British Parliament, after which a Governor-General will be appointed.

The Home Government has taken a deep interest in the "whole movement, believing that it will add to the security of the Empire, greatly facilitate the business of the Colonial Office, prevent the secession of any single colony, like Queensland, and prepare the way for Imperial Federation.

To conclude, the new ship of state is still on the stocks, and in the builders' hands.

When the time comes for launching her, she will be attended by the hopes and good wishes of all lovers of freedom throughout the world.

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W. D. ALEXANDER.

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S. L. KUKUMANO, Secretary.

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